

**CITIZENS' INDEPENDENT TRANSPORTATION TRUST (CITT)**  
**Wednesday, December 17, 2003**  
**Historical City Hall**  
**3500 Pan American Drive**  
**Commission Chambers**  
**10:30 a.m.**

**SUMMARY OF MINUTES**

***CITT TRUST MEMBERS:***

*Hon. John F. Cosgrove, Chair*  
*Marc Buoniconti*  
*Hon. Mike Abrams*  
*Harold Braynon, Jr.*  
*LtCol Antonio Colmenares*  
*Henry Lee Givens*  
*Franklin Kelly*  
*Thamara Labrousse*  
*Herminio Lorenzo*  
*Hon. Luis C. Morse*  
*Miles Moss*  
*Hon. James Reeder*  
*Theodore Wilde*

***CITT MEMBERS PRESENT:***

*Hon. John F. Cosgrove, Chairman*  
*Marc Buoniconti, Vice-Chairman*  
*Hon. Mike Abrams*  
*Harold Braynon, Jr.*  
*LtCol Antonio Colmenares*  
*Henry Lee Givens*  
*Franklin Kelly*  
*Herminio Lorenzo*  
*Hon. Luis C. Morse*  
*Miles Moss*  
*Hon. James Reeder*  
*Theodore Wilde*

***OTHERS PRESENT:***

Carlos Bonzon, Ph.D., P.E., Surface Transportation Manager  
Hilda Fernandez, OCITT, Executive Director  
Roosevelt Bradley, MDT  
Bruce Libhaber, CAO  
Patrice Rosemond, OCITT  
Jack Furney, OCITT  
Pepe Valdes, OCITT  
Alina Philipp, OCITT

Clinton Forbes, MDT  
Marlene Amaro, OCITT  
Joanna Santiago, OCITT  
Patty David, OCITT  
Virginia Diaz, OCITT

## **ROLL CALL**

With a quorum being present, Mr. Cosgrove, Chairman of the CITT, called the meeting to order at 10:35 a.m.

## **APPROVAL OF AGENDA**

Mr. Cosgrove requested a motion approving the agenda. Mr. Abrams moved approval of the agenda, seconded by Mr. Givens and carried without dissent.

## **SWEARING IN OF THE NEW TRUST MEMBERS**

Kay Sullivan, Clerk of the Board, sworn in Harold Braynon, Jr. and Herminio Lorenzo. Mr. Lorenzo stated that it is an honor for him to serve on the CITT and looks forward to working with the members on alleviating the transportation problems in Miami Dade County. Mr. Braynon also expressed his pleasure serving on the CITT and working with the Trust members on the implementation of the PTP.

Mr. Cosgrove welcomed the new members and appointed both new members to serve on the Compliance and Oversight Committee. In addition, he asked them to review the other committees that they would like to serve. He noted that all committee members are by appointment of the Chair, however, all members are welcome to attend and participate, but are not considered voting members.

Mr. Abrams asked that the agenda item pertaining to the MOU-City of Hialeah be taken out of order since Commissioner Natasha Seijas would like to speak on that item. Mr. Cosgrove said without any objection by the members and after the "Approval of the Minutes".

## **APPROVAL OF MINUTES – DECEMBER 3, 2004**

Mr. Cosgrove requested a motion approving the December 3, 2003 Minutes. Mr. Abrams moved approval, seconded by Mr. Reeder and carried without dissent.

## **ACTION ITEM**

9B: RESOLUTION APPROVING A MEMORANDUM OF AGREEMENT BETWEEN MIAMI-DADE COUNTY AND THE CITY OF HIALEAH TO FINANCE THE CONSTRUCTION OF IMPROVEMENTS TO NW 62<sup>ND</sup> AVENUE FROM 105<sup>TH</sup> STREET TO NW 138<sup>TH</sup> STREET, PROJECT NO. 671916

Ms. Fernandez reported that the item requests CITT approval of the BCC's action in approving an MOU between the City of Hialeah and the County for the construction of a road improvement project located at NW 62<sup>nd</sup> Avenue between NW 105<sup>th</sup> Street and NW 138<sup>th</sup> Street. The CITT Project Review, Budget and Finance, and Compliance and Oversight Committees have recommended the MOU. The concern raised by the Compliance & Oversight Committee was that the MOU did not have any CSBE/CBE measures/goals included, however, that issue has been resolved. The committee met with the City of Hialeah attorney who indicated that the City of Hialeah had intended to comply with the requirements set by Miami-Dade County in terms of CSBE/DBE

measures. In addition, he stated that the contractor selected to complete the work has a current contract with Miami-Dade County, and appears to be exceeding the CSBE/CBE goals required on that contract. If approved by the CITT, the CITT staff will prepare an Interdepartmental Agreement with the Public Works Department that will require them to provide monthly reports.

Mr. Givens stated that it was agreed at the Compliance & Oversight Committee meeting held December 16, 2003, that the item would not be heard until the end of the meeting to allow Marsha Jackman, Director, DBE, sufficient time to review the MOU and make the appropriate recommendations. Mr. Cosgrove responded that was correct, however, would like that Commissioner Natasha Seijas make her comments and take the vote once DBE states its recommendations. Betty Alexander, Division Director, DBE, stated that an emergency meeting was called for December 18, 2003, to review the MOU.

Commissioner Seijas commented that the project being discussed is very important for her constituency in District 13, and requested the members to support and approve the MOU. In addition, she commented that the lack of women participating in meetings may be because of their added responsibilities at home and work, it makes it difficult to serve on boards and attend meetings during working hours. She suggested the Trust hold meetings in the evenings, which would facilitate women to participate after work. Mr. Cosgrove noted that many of the committee meetings have been scheduled in the evenings and will continue to do so whenever possible.

Mr. Cosgrove requested a motion approving Action Item 9B. Mr. Reeder moved approval, seconded by Mr. Lorenzo.

Mr. Grodnick thanked Commissioner Seijas for her support and for the opportunity to speak at the Compliance and Oversight Committee. The contract with the contractor will include the language to include County's goals and objectives for minority participation. The City of Hialeah will submit reports to the DBE on a regular basis.

Mr. Cosgrove stated that the issue being discussed is not with the City of Hialeah, rather with Miami-Dade County. The MOU is the first that has been presented to the CITT and it has been strongly expressed by the Trust that all contracts utilizing PTP funds need to have the appropriate considerations. CITT staff is working to develop a process and procedure for all future contracts.

Mr. Cosgrove stated that the motion needs to be amended to include that the approval of the Resolution is with the condition that the Department Business Enterprise has reviewed and approved the MOU.

Mr. Lorenzo added that it is important to have a process in place, however, the project is very important for Hialeah, because it is a vital roadway. The City of Hialeah has pledged to meet the requirements set by DBE. He urged the members to approve the MOU.

Mr. Cosgrove requested a motion to approve the Resolution with the condition that the Department of Business Enterprise review the MOU and recommend minority participation measures. The motion was unanimously approved. (Thamara Labrousee was absent for the approval)

## **CITIZENS' COMMENTS**

Deacon George Baldwin offered his assistance in obtaining funding for the capital projects. Also, requested a copy of the comprehensive plan.

Lawrence Percival thanked LtCol Colmenares for taking the time to visit the West Kendall Area. He requested the Trust members to review the PTP project, which is widening SW 120 Street to 6 lanes. LtCol Colmenares thanked Mr. Perival for his this time and concern and will address the issue at the Project Review Committee and with Miami Dade Public Works Department.

Naomi Wright welcomed the new members. She stated that because there is limited dollars to implement all the projects, she is requesting that the Trust prioritize the projects according to the People's Transportation Plan. (PTP).

Frank Hernandez invited the members to the next CTAC meeting scheduled for January 28, 2004 at 5:30 p.m. In addition, he stated that he has appointed Frank Zeinali to the CITT Nominating Committee. A letter will be sent to Katherine Fernandez-Rundle, Chairwoman of the Committee.

## **MUNICIPAL DISTRIBUTION PRESENTATION**

Mr. Cosgrove stated that he invited the City of Doral and the City of Miami Gardens to make a presentation. The City of Miami Gardens was not able to attend the meeting but will speak at a later date.

Joe Rascoe, City Manager of Doral, thanked the members for the opportunity to speak. He introduced Mayor Juan Carlos Bermudez. Mr. Bermudez stated that at the present time the City of Doral does not have bus service in the Doral area. The City represents 130,000 residents and hopes that a solution or agreement could be worked on with Miami Dade County. Transportation is an important issue for the residents of the City of Doral.

Mr. Cosgrove stated that according the Ordinance the new cities need to negotiate with the County Manager and the Trust will help with anything they can.

## **COMMITTEE REPORTS**

### ***CHAIRMAN'S REPORT***

Mr. Cosgrove briefly discussed the memo from the County Attorney regarding a response to a request that was made by him regarding providing the MDT Director with the flexibility on making changes to already approved bus service improvements without further CITT approval. He has asked staff to meet with the County Attorney and MDT

staff to develop a resolution for consideration at the next meeting scheduled January 28, 2004. (a copy of the memo was distributed)

#### *EXECUTIVE DIRECTOR'S REPORT*

Ms. Fernandez stated that was she working with General Services Administration on office space for CITT staff, which will include a large conference room for the CITT meetings. The office will be located at the Government Center on the 10<sup>th</sup> Floor. Staff is working a business plan for the CITT that will include performance goals for the Director and senior staff. It will be provided for review at the next CITT meeting, January 28, 2004. Also, being developed is a process for reviewing proposed amendments to the PTP that need to be forwarded to the BCC for approval, as well as contracts that have been approved by the Board of County Commissioners (BCC) that need CITT approval. Staff is recommending the CITT committees review pending contracts at the same time they are being reviewed at BCC Committees. This process will save time for a project to move forward. Lastly, a reminder that Smart Commute Kick-Off is scheduled December 19, 2003, at the Douglas Road Metrorail Station.

#### *BUDGET & FINANCE COMMITTEE*

Mr. Wilde provided an oral report on the Budget and Finance Committee. A copy of the report was included in the agenda package.

#### *PROJECT REVIEW COMMITTEE*

LtCol Colmenares stated that the committee met December 3, 2003, at 6:00 pm at the Coral Gables Youth Center. The committee approved and forwarded the Public Works 2-Year Plan to the Budget & Finance committee for consideration. Mr. Perival presentation at the meeting resulted in his site visit to the Kendall area. He has asked staff to schedule PRC meetings throughout Miami Dade County and alternative evening meetings.

#### *EXTERNAL AFFAIRS COMMITTEE*

Mr. Morse provided an oral report on the External Affairs Committee. A copy of the report was distributed.

Mr. Givens commented that it is part of the responsibility of each Trust members to make sure that the respective municipalities in their districts are in compliance with the Ordinance. He stated that Florida City is in District 10 and he has contacted the Mayor of Florida City regarding that issue. Mr. Morse stated that he would ask staff to advise each member which municipalities belong to their respective districts that are not in compliance to-date. Mr. Cosgrove added that all municipalities have been notified that technical assistance is available to assist them with its transportation plan. Mr. Givens also stated that the two new municipalities, Doral and Miami Gardens, that are not entitled to any funding, should begin to establish a relationship with Public Works and MDT. In the future, those cities, through negotiations with the County Manager, may be entitled to surtax proceeds.

### *COMPLIANCE & OVERSIGHT COMMITTEE*

Mr. Givens reported that the Committee met December 16, 2003, to discuss the MOU with the City of Hialeah. When the item was brought to the CITT, his concern was that the MOU did not have any goals of minority participation. It was not an issue with the City of Hialeah. The Ordinance states that part of the CITT responsibilities is to oversee and monitor the usage of PTP funds. The MOU could not be amended by the CITT, however, the City of Hialeah attorney agreed to enter into a separate agreement with the contractor and within the agreement it will include the minority participation goals recommended by DBE. In addition, he met with Ms. Fernandez and asked her to begin working on a resolution for consideration by the BCC that would require any MOU/JPA's utilizing PTP funds, should have minority participation goals included.

### *BYLAWS COMMITTEE*

LtCol Colmenares thanked everyone who participated in the workshops. He moved approval of the CITT Bylaws, seconded by Mr. Reeder and the motion was unanimously approved. (a copy of the Bylaws was included in the agenda package) Mr. Cosgrove also stated that staff is working on a procedures Manual for each committee.

### **OLD BUSINESS**

#### *Update – CITT Financial Service Provider*

Mr. Cosgrove reported that he was directed by the Budget and Finance Committee to meet with the Chairwoman and Chairs of the BCC Committees regarding the CITT desire to hire an independent financial consultant that is not in the MACS pool. He met with Commissioner Seijas, who is opposed to the request. In addition, he spoke to Chairwoman Barbara Carey-Shuler who did not express an opinion, however, agreed to place the item on the BCC Transportation Committee and if approved, would place the item on the BCC Agenda in January. What was developed in the committee was to seek waivers of all formal requirements of a bidding process and to waive the Administrative Order to allow CITT members to serve on the Selection Committee. The Selection Committee opens the process for a competitive bid and forwards its recommendation to the County Manager. The Manager has stated that he would honor that request and present it to the BCC for approval.

Mr. Abrams stated that he has had the same conversations with some commissioners and believes they will have some resistance to the request. The Budget and Finance also stated that the Selection Committee could select someone of the current pool of financial consultants on an interim basis.

### **ACTION ITEMS**

**9A: RESOLUTION APPROVING A TWO-YEAR PLAN FOR THE PUBLIC WORKS DEPARTMENT'S PEOPLE'S TRANSPORTATION PLAN.**

Ms. Fernandez reported that the PWD is responsible for the implementation of the major highway and road improvement portion of the PTP. The PWD has developed a two-year

work plan for the implementation of road improvements. These road improvements are broken down into two sections: 1) major Highway and Road Improvements, which includes the traffic signalization system, grade separation of lanes, road widening, etc., and 2) Neighborhood Projects, which include resurfacing, guardrails, school flashing signals, sidewalk, ect. In addition, it sets for a formula for the distribution of funds for non-specific Neighborhood Improvement projects. Mr. Cosgrove also added that the PRC and the Budget and Finance Committees have recommended approval.

Mr. Cosgrove requested a motion for the item 9A. Mr. Moss moved approval, seconded by Mr. Reeder.

Mr. Santiago Echevarria, stated that he is speaking on behalf of a major landowner regarding the projects located on NE 2<sup>nd</sup> Avenue, 36<sup>th</sup> Street to NE 43<sup>rd</sup> Street and 43<sup>rd</sup> Street to NE 62<sup>nd</sup> Street for a total of \$2.3 million. There was a discussion between Mary Conway, City of Miami, Transportation Director, and Jose Galan, Assistant Director, Public Works Department, in which it was discussed that the City of Miami was not going to require right-of-way acquisition money, however, the City did not realize that the \$2.3 million was going to be interrupted by the Miami Dade County as being exclusively to right-of-way acquisition. That funding has been removed from the two-year plan. The project is very important for the City of Miami. What is being proposed is to approve a resolution directing staff to bring back an interlocal agreement between the City of Miami and Miami-Dade County Public Works Department agreeing to reimburse the City for the design and construction, similar to the MOU with the City of Hialeah.

Jose Galan, Assistant Director, Public Works Department, stated he does not want to jeopardize the entire PWD 2-year Plan for those projects. The monies allocated for those projects had been included in the PWD 2-year plan for months and unfortunately the City of Miami did not see it earlier. What Mr. Echevarria is proposing is a Joint Participating Agreement, similar to the MOU, with the City of Hialeah. The City of Miami will get the design project and then they will be reimbursed from the PTP. It was always the PWD's intention to fully fund the project in its entirety, design, construction and right-of-way acquisition, if needed. He further discussed the Distribution Formula of available Neighborhood Improvements Funds Yearly Allocation. Mr. Wilde stated that that he would like to further discuss the distribution formula for the non-site specific projects for the future allocations.

Mr. Cosgrove asked Mr. Galan how the projects would be affected by amending the 2-year plan. Mr. Galan stated there are three items being discussed: 1) The 2 NE 2<sup>nd</sup> Avenue projects 2) 2-year Plan 3) Non-site specific. By removing the non-site specific it would delay the projects by another month. However, CITT approval for the 2-year is very critical with the exclusion of the NE 2<sup>nd</sup> Avenue projects. With regards to the two NE 2<sup>nd</sup> Avenue projects, the City of Miami is comfortable with a JPA.

Mr. Moss suggested modifying the resolution to approve the PWD 2-Year Plan with the exception of the two NE 2<sup>nd</sup> Avenue Projects, seconded by Mr. Reeder. All present

members approved the amended resolution with the exception of Mr. Givens and LtCol Colmenares.

Mr. Cosgrove requested a motion to approve:

Resolution directing staff and PWD to develop a proposal and the process to get the two NE 2<sup>nd</sup> Avenue projects approved before the BCC and CITT. Mr. Moss moved approval seconded by Mr. Abrams and carried without dissent.

**9C: RESOLUTION BY THE CITT APPROVING THE ACTION OF THE MIAMI-DADE BOARD OF COUNTY COMMISSIONERS OF AWARING CONTRACTS NO. TA02-BLM TO PROVIDE MAINTENANCE OF TRANSIT VEHICLES WITH LEASE OPTION WITH PENSKE TRUCK LEASING.**

Ms. Fernandez reported that the approved BCC resolution, the County Manager has been authorized to exercise the renewal and cancellation provisions contained therein.” Further, the contract allows for the County Manager to act on behalf of the County in exercising any options contained in the contract. In addition, if the contract is approved, CITT staff will draft and prepare for execution an Interdepartmental Agreement between MDT and the CITT delineates the reporting, reimbursement, ect.

Mr. Cosgrove requested a motion to approve agenda item 9C:

Mr. Givens moved approval of the Resolution, seconded by Mr. Moss and carried without dissent.

### **SPECIAL PRESENTATIONS**

#### ***TRANSPORTATION PROGRAM PRO FORMA WORKSHOP***

Clinton Forbes provided the members with a power-point presentation on the PTP Financial Capacity Analysis (a copy of the presentation was distributed).

#### ***Surtax Pro Forma Presentation***

Mr. David Miller, Public Financial Management presented a power-point presentation (a copy of the presentation was distributed).

### **CITIZENS' COMMENTS**

Mr. Percival strongly urged the members to stress its independence.

### **ADJOURNMENT**

There being no further business the meeting adjourned at 2:00 p.m.